

**REMARKS**

Claims 1, 3, 4, 6, 7, and 9 are pending in this application. Claims 1, 3, 6, 7, and 9 have been amended. Claims 2, 5, and 8 have been cancelled.

In the Office Action, claims 1-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication 2002/0018218 (Conheady) in view of U.S. Patent No. 5,626,026 (Mian) and U.S. Patent No. 5,485,406 (Wada). This rejection is respectfully traversed. Applicant hereby respectfully requests reconsideration and allowance of the claims in view of the following arguments.

Regarding the rejection of independent claims 1, 7, and 9, apparatus claim 7 has been amended to recite three sensor devices, each comprising a light source and a receiver, wherein one of the sensor devices is configured to scan the tire tread surface, and the other two of the sensor devices are configured to scan the tire side walls at the inside and the outside of the wheel, and the sensor devices are attached to movable components of a wheel balancing machine. Method claims 1 and 9 have been similarly amended. The added limitations to claims 1, 7, and 9 are fully supported, for example, at paragraph 0015 of the present application, and in original dependent claims 2, 5, and 8, which have consequently been cancelled. No new matter has been added.

None of the cited references teaches or suggests the claimed three-sensor arrangement to scan the tire tread surface and the tire side walls at the inside and the outside of the wheel, as required by amended claim 7, or the corresponding scanning steps of claims 1 and 9. Conheady and Wada teach using only one sensor for scanning a tire. Mian does not teach scanning tires, so cannot teach scanning three particular parts of the tire at the same time. Furthermore, none of

the three cited references teaches or suggests mounting three sensors to movable components of a wheel balancing machine, as required by amended claim 7.

Since none of the cited references teaches the three-sensor scanning arrangement/steps of claims 1, 7, and 9, or the sensor mounting arrangement of claim 7, any combination of Conheady, Mian and Wada, however made, would still be missing these features of amended claims 1, 7, and 9, and it would not have been obvious to add these features to any Conheady/Mian/Wada combination.

Consequently, amended independent claims 1, 7 and 9 are patentable, as are claims 3, 4, and 6, which depend from claim 1.

Having fully responded to all matters raised in the Office Action, Applicant submits that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicant's attorney at the telephone number shown below.

**Application No.:** 10/765,207

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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